

CITY COUNCIL RULES OF PROCEDURE HANDBOOK

City of Seat Pleasant, Maryland

"A Smart City of Excellence"



City Council of Seat Pleasant, Maryland

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City of Seat Pleasant

City Hall

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Seat Pleasant, Maryland 20743

History

Seat Pleasant is a friendly community located just over the District of Columbia line at its northeast corner. The site is part of what had been the Williams-Berry estate until the descendants of General Otho Holland Williams, a Revolutionary War hero, and James Berry, a mid-17th-century Puritan leader, sold it to Joseph Gregory in 1850. Designers of the Chesapeake Beach Railway, constructed in 1897–99 between Washington and Chesapeake Beach in Calvert County, located their first station in Maryland (or last, depending on the direction of travel) on the railway's right-of-way that traversed the Gregory property. They called the station District Line. In 1906, the growing number of residents in the area around the station adopted a more imaginative name for their community— Seat Pleasant, after the early Williams-Berry estate.

Steady growth of traffic on the Chesapeake Beach Railway between 1900 and its peak in 1920 translated into steady development for Seat Pleasant. When the community was incorporated as a city in 1931, it had a school, water company, sewer connections courtesy of the District of Columbia's sanitary system, and reliable fire protection by the Seat Pleasant Fire and Community Welfare Association. But by that time, the railroad had been in steady decline for ten years, and in 1935 it ceased operations. The cause of its demise—highway construction— was in clear evidence in Seat Pleasant. The city gained two state highways running through it— Maryland Route 704 (now called Martin Luther King Highway and previously named George Palmer Highway after a banker and community leader) and Maryland Route 210 (Central Avenue).

With highway construction, came further expansion for Seat Pleasant. Construction of "affordable" housing, notably the Gregory Estates apartments in 1949, was the catalyst for the migration of African-American families from the District of Columbia; before that time, the community had been all white. In the 1980s, the old Chesapeake Beach Railroad roundhouse and turntable were demolished to make room for the Addison Plaza Shopping Center on Central Avenue.

Like Watkins Hardware Store, which was a fixture in Seat Pleasant from the early 1900s until it finally closed in the mid-1990s; most of the testaments to the City's past are long gone. Two that remain are the Episcopal Addison Chapel (1696) and Mount Victory Baptist Church (1908). Goodwin Park, named after a former mayor, is the town's most prominent location.

**City of Seat Pleasant
Council Rules of Procedure
(As Adopted 04-09-2018)**

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1. Introduction

This handbook is intended to serve as a reference guide for the City Council. Use this manual as a guide to assist you with questions that may not be answered or stated. It is intended to guide you to the relevant charter provisions and/or code sections. Being an effective leader is not something which magically happens just because you are elected to office. Leadership skills must be learned. We will need to listen to residents of the city and to the council, develop goals, then work effectively with the council to achieve your objectives.

1.1. Scope of Rules

The Council shall determine its own rules and order of business. It shall keep minutes of its proceedings and enter therein the yeas, nays, or abstentions upon final action of any question, resolution, or ordinance, or at any other time if required by any one member. The minutes shall be open to public inspection after adoption.

2. Council Organization

In accordance to the Seat Pleasant City Charter, **§ C-304. Meeting of the Council**, the newly elected Council shall meet on the second Monday following its election for organization, after which the Council shall meet regularly at such times as may be prescribed by its rules but not less frequently than once each month. Special meetings shall be called at the request of the Mayor or four (4) or more Council members. All meetings of the Council shall be open to the public, and the rules of the Council shall provide that residents of the City shall have a reasonable opportunity to be heard at any meeting regarding any municipal question. Nothing contained herein shall be construed to prevent any such body from holding an closed session from which the public is excluded but no ordinance, resolution, rule or regulation shall be finally adopted at such an closed session.

2.1. The Job of a Councilmember

In accordance to the Seat Pleasant City Charter, **§ C-301. Number, Selection, Term**, all legislative powers of the City shall be vested in a Council consisting of seven Councilmembers who shall be elected as hereinafter provided. Newly elected Councilmembers shall take office on the first Monday in October following election. Each Councilmembers holding office at the time the Charter becomes effective shall continue to hold office for the term for which he was elected or until his successor is elected and takes office under the provisions of the Charter.

The council rely on staff, advisory committees, Prince George's Chambers of Commerce, Maryland Municipal League, University of Maryland, and others to assist them in making policy decisions or changes for the City of Seat Pleasant. The Council is responsible for analyzing the needs of the community, program alternatives and available resources. Council decisions are often solidified in the form of an ordinance or resolution, although it may take the form of a rule, regulation motion or order.

The role of the council is not to administer the affairs of the city. The council set policy, but day-to-day administering of the city is managed by the City Administrator under the direction of the Mayor. The employees of the city are supervised by the City Administrator not the City Council. The Council is the legislative branch and the Mayor and City Administrator are the Executive branch of the government.

The council may receive complaints from the residents regarding code or policy issues. Please refer them to the appropriate staff person, as it is not the duty of the council to address resident concerns.

The City Attorney is employed by the City of Seat Pleasant through a contractual arrangement signed by the Mayor and/or City Administrator with the approval of the City Council. The contact person for the City Attorney for the City of Seat Pleasant is the Mayor, City Administrator and the City Clerk. There may be incidents where the City Council need to contact the City Attorney. The protocol is for the City Attorney to speak with the Council President or attend a meeting of the Council.

2.2. The First Days on the Job

The City Council and Mayor should meet to review the following documents:

- City Charter
- City Code
- Current Budget
- Information on key programs and services
- City's Audit and or financial reports
- Organizational Chart, Staff Roster and Telephone List
- Planning Documents
- Map of the City, buildings and facilities owned by the City
- Mission Statement and Goals for each Department
- Council Rules and Meeting Procedures
- Meeting Minutes for last twelve months
- Staff Reports for last twelve months
- Personnel Rules and Regulation Manual
- Facts about the city: population, form of government, incorporation date, number of employees, total budget, total debt, etc.
- List of governmental agencies providing services or impacting your organization
- Calendar of events
- Proposed development projects

Please be sure to ask questions to assist you getting a better understanding of city operations and any issues that may be currently facing your community.

2.3. Legislative

The City Council are constituents to the state legislator's. The Council should regularly schedule meetings with legislators and not wait until the legislative session begins. If you meet with legislators throughout the year to brief them on challenges and opportunities, invite them to your town meetings. The list below provides additional items and suggestions when meeting with your legislators:

- a. Keep Materials Clear

- b. Cover 3-5 issues
- c. Ask for commitments to work on the city's issues
- d. Invite them to tour community or special projects that are underway.

2.4. Legislative Agenda

The City Council should develop a legislative agenda and inform the state legislators of the needs for the city before the legislative session begins. It is the Council responsibility to keep the constituents informed. We must keep the residents informed on changes that will impact the community.

2.5. Chair of the Council.

In accordance to the Seat Pleasant City Charter **§ C-305. Vice Mayor and President Pro Tem**, the Council shall elect a President of the Council from among its members who shall act as Vice-Mayor in the absence of the Mayor. In the event that the designated President shall be absent at any meeting of the Council, any member of the Council may be designated by the Council President Pro Tem for such meeting. The President, when acting as Vice-Mayor, shall have only such ceremonial duties as may be assigned to him by the Mayor and shall not exercise any of the power and duties of the Mayor as hereinafter set forth.

- 1) The Chair shall be the presiding officer of the Council and preserve order and decorum during the meetings of the Council
- 2) The Chair shall have general supervision of the City Council offices, hearing and conference rooms, and other building space designated or used by the Council to conduct its business and shall have the power to order any such place to be cleared or to have any person or persons removed after giving notice.
- 3) The Chair may speak on points of order in reference to other members and shall decide all points of order. The Chair's decision shall be final unless it is reversed by a majority vote of Members present.
- 4) The Chair cannot make a motion or second a motion, but can vote on the motion. The roll should be called in alphabetical order when conducting a voice vote.

2.6. Committees.

1. In accordance to the Seat Pleasant City Code **§ Chapter 14-6-B. Enumeration; composition** Each committee shall be composed of at least three Councilpersons appointed by the Council President. One of the committee members shall act as Chair, who shall be appointed by the Council President. Each member shall serve for a term of one year.
2. The following standing committees shall be appointed by the Chair at the beginning of the Chair's term of office:
 - (a) Governmental Affairs & Technology
 - (b) Economic, Planning, Development & Housing
 - (c) Finance & Budget
 - (d) Human Services, Health & Education
 - (e) Public Safety
 - (f) Public Works & Transportation

Each committee shall have three (3) members

3. The committee Chair shall cause to be distributed to all Council members and agenda of items to be considered at each meeting at least three days prior to the meeting. The agenda shall identify legislative items by number, followed by the last name of the sponsors and a short title.
4. A quorum of two (2) committee members shall be required to act. All Council Members of the committee present shall be entitled to vote and all questions shall be decided by majority vote of those committee members present.
5. The Committee of the Whole, at the direction of the Chair, the Council shall sit as a Committee of the Whole. A quorum of four (4) members shall be required to act on all questions shall be decided by the majority vote of those committee members present. The staff to shall record the action of the Committee of the Whole, and prepare any reports or amendments to be reported by the committee to the council. So far as applicable, the Rules shall be observed when the Council is sitting as Committee of the Whole.
6. The focus of each committee is to be an advocate for the respective departments, and to assist with policy recommendations, legislation and budgetary needs that require the support of the full council.

2.7. Citizens Advisory Boards.

In accordance to the Seat Pleasant City Charter **§ C-314. Advisory Boards and Commission**, The Mayor, with Council consent, shall have the power to appoint and dissolve boards and commissions to act in an advisory capacity to the City Council as required by law or as it may deem necessary for the good government of the City. The Mayor may also establish mandatory fiscal and administrative procedures for such boards.

2.8. Disorderly Conduct During the Committee Meetings.

The Chair of any committee shall preserve order and decorum in and adjacent to the meeting room while the committee is in session, and shall have the power to order any such place to be cleared.

3. Rights and Duties of the Members.

3.1. Attendance

By the adoption of these rules, the Members of the Council commit to be present for the convening of all regularly scheduled legislative and closed sessions, including public hearings at the time designated on the agenda and to attend all meetings or work sessions of Council committees to which they have been appointed. The City Clerk shall enter the record of attendance in the minutes for each meeting of the Council. The minutes shall also note the subsequent arrival time of a Member previously marked absent. The minutes shall contain an explanation of a member's absence as provided by the Member. The minutes shall reflect that a Member has

recused himself or herself concerning a matter under consideration by the Council. The excused absence of a Council Member shall be by the majority vote of the members present.

3.2. Quorum

In accordance to the Seat Pleasant City Charter **§ C-306**, four members of the Council shall constitute a Quorum for the transaction of business. No ordinance shall be approved nor any other action taken without the favorable votes of a majority of the members of the Council present and voting.

3.3 Meetings

In accordance to the Seat Pleasant City Charter **§ C-304**, The City Council normally meets on the first and second Monday of each month, except during the month of August when the Council is in recess, or the Council is unable to meet due to closure, weather emergencies, or other declared state of emergencies. Additional meetings may be scheduled by the Chair upon notice to each Member.

3.4. Minutes of Meetings.

Minutes of each City Council meeting session shall include, but are limited to, items considered, actions taken thereon, and each recorded vote.

3.5. Agenda.

The Chair, in conjunction with the City Clerk, shall prepare each agenda of the City Council and shall have authority to remove items submitted to accommodate the time scheduled for the meeting. When such items are removed, they shall be placed on the next appropriate agenda. The Chair's decision shall stand unless overruled by a majority of the full Council at any meeting at which the question on the item is considered. The agenda shall contain, as appropriate, the following:

- (1) The Call to Order, Invocation and Pledge of Allegiance;
- (2) Approval of Meeting Minutes
- (3) Administrative Reports
- (4) Council Committee Reports
- (5) Briefings/Discussion Items
- (6) Legislation
- (7) Citizen Comments
- (8) Presentation
- (9) New/Unfinished Business

Any Member shall have the right to request for items to be placed on the agenda to be presented to the Council. Any matter not included on the agenda may be added only upon a vote of the majority of the full Council. A separate vote shall be necessary for each addition upon the request of any Member.

3.6. Call to Order.

The Chair shall take the chair at the date and hour to which the Council was adjourned at the last sitting and, on the appearance of a quorum, shall immediately call the

Members to order. The City Clerk shall call the roll. In the absence of the Chair and at ten minutes after the time set for the meeting, a quorum of the Member being present, the Council shall convene. The City Clerk shall call the roll and Members shall signify their attendance by responding. In the absence of a quorum at ten minutes after the time set for the meeting, the City Clerk shall record the names of the Members then present.

3.7. Order of Business.

After the invocation and Pledge of Allegiance, the order of business shall proceed according to the Agenda. The order of business may be changed at any time by the vote of a majority of Members present, or by the Chair, unless a majority of the Members present object.

3.8. Voting.

All questions shall be determined by the majority vote of the Members present, except as required for:

- (1) The final action on an Ordinance or Resolution;
- (2) The suspension of rules;
- (3) The amendment of an Ordinance or resolution after introduction;
- (4) The approval of a letter requiring the Council Chair's signature on behalf of the Council;
- (5) Any other circumstance specially provided for in these Rules, the Charter for the City of Seat Pleasant, Maryland, the City Code, or the Constitution and Laws of the State of Maryland; or
- (6) Special voting requirements for confirmation of administrative appointments pursuant to Section 403 and 904 of the Charter.
- (7) Members must be physically present at the meeting at the time the vote is taken in order to vote.
- (8) The Chair shall put questions in the following form: "Those in favor (as the questions may be), say 'Aye'; and after the affirmative voice is expressed, "Those opposed, say 'No"; if voice vote cannot be determined or a roll call is requested, the Chair shall direct the City Clerk to call the roll. The City Clerk shall announce the results of every vote by roll call and that vote shall be final, subject to reconsideration.
- (9) All voting except on procedural motions shall be by roll call. In any roll call, the City Clerk shall call the roll of Members alphabetically.
- (10) A Member who has an apparent conflict, but not an actual conflict of interest as defined by the Code of Ethics, may act on a matter if, prior to voting, the Member files with the City Clerk and the Board of Ethics a sworn statement which describes the circumstances of the apparent conflict and the legislation to which it relates. The statement shall assert that the Member is able to vote, and otherwise participate in legislative action relating thereto, fairly, objectively, and in the public interest. The City Clerk shall maintain each statement for the term of office of the Member. All statements filed with the City Clerk shall be available for public review.
- (11) A Member who has an actual conflict of interest as defined by the Code of Ethics shall state that a conflict of interest exists and that the Member will neither participate in the consideration of the issue nor vote on the issue.

3.9. Location of Meetings

All sessions and meetings will be held at the City Hall in the Council Chambers, or such other place as the Council shall designate.

3.10. Open Meeting Policy

Unless otherwise provided in law, all meetings of the Council, public hearings, work sessions, and other meetings shall be open to the public.

3.11. Closed Meetings

- (a) A meeting may be adjourned to a closed session for consultation with legal counsel on matters authorized by law, as follows:

STATUTORY AUTHORITY TO CLOSE SESSION, General Provisions Article, §3-305(b) (check all that apply):

- (1) To discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; or any other personnel matter that affects one or more specific individuals;
- (2) To protect the privacy or reputation of individuals concerning a matter not related to public business;
- (3) To consider the acquisition of real property for a public purpose and matters directly related thereto;
- (4) To consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State;
- (5) To consider the investment of public funds;
- (6) To consider the marketing of public securities;
- (7) To consult with counsel to obtain legal advice on a legal matter;
- (8) To consult with staff, consultants, or other individuals about pending or potential litigation;
- (9) To conduct collective bargaining negotiations or consider matters that relate to the negotiations;
- (10) To discuss public security, if the public body determines that public discussion would constitute a risk to the public or to public security, including: (i) the deployment of fire and police services and staff; and (ii) the development and implementation of emergency plans;
- (11) To prepare, administer, or grade a scholastic, licensing, or qualifying examination;
- (12) To conduct or discuss an investigative proceeding on actual or possible criminal conduct;
- (13) To comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter;
- (14) Before a contract is awarded or bids are opened, to discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process.

- (b) A meeting may be closed upon the vote of a majority present. The motion to close a meeting shall be in writing and shall state the reason for closing the meeting, cite the statutory authority for closing the meeting and specify the topic (s) to be

discussed. If any person objects to the closing of a meeting, a copy of the written statement shall be forwarded to the State Open Meetings Law Compliance Board.

- (c) No action shall be taken and no matter shall be discussed unless it directly relates to the purpose which required the meeting to be closed.
- (d) After a closed meeting has been held, the minutes of the next open meeting or session shall include:
 - (1) A statement of time, place and purpose of the closed meeting.
 - (2) The record of the vote of each Member by which the meeting was closed
 - (3) The citation of statutory authority for closing the meeting
 - (4) Topic(s) of discussion, persons present, and each action taken during the session

3.12. Notice of Meetings

A reasonable notice of open and closed meetings shall be given. Notice of meetings held in closed sessions shall be reported in the minutes of the next open meeting. Whenever reasonable under all circumstances, the notice shall be in writing, shall include the date, time and place of the meeting, shall include a statement that part or all the meeting may be conducted in closed session (if applicable), and shall be given at least be given as much notice as possible. The required notice may be given by any of the following means:

- (1) Electronic posting and other City public media resources at a convenient public location at or near the place of the meeting. The City Clerk may notify the public in the following manner:
 - (1) Post meeting notices immediately
 - (2) Post meeting agenda one week prior to the meeting
 - (3) Require signs to be posted in the community
 - (4) Require notices to be posted on the city's social media sites

3.13. Public Participation

All meetings of the Council shall be open to the public, and the rules of the Council shall provide that residents of the City shall have a reasonable opportunity to be heard at any meeting regarding any municipal question. At all times, order and decorum shall be maintained in keeping with the dignity of the governmental process, and no person or groups shall interfere with this process. No one shall delay or interrupt the proceedings, or refuse to obey the orders of the presiding officer. Posters and placards must remain outside the Council Meeting Room. Smoking, including but not limited to e-cigarettes, e-hookahs or vaporizing pens, is strictly prohibited in the Council Meeting Room. The number of persons in the Council Meeting Room shall not exceed the limit established by the County Fire Department. When practicable, and in accordance with the law, attendees for public proceedings exceeding the legal capacity of the Council Meeting Room should be accommodated in an alternate space or area designated by the Council.

3.14. Procedure in Debate.

A Member shall have the right to be recognized except where debate has been closed or where recognition is not otherwise in order under the Rules. If two or more Members seek recognition at the same time, the Chair shall determine which is entitled to the floor.

3.15. Limit of Debate.

No Member shall speak more than once upon any subject until every other Member wishing to speak shall have spoken. Every Member shall confine remarks to the subject under debate. On a motion to amend, the debate shall be confined to the amendment and may not include the general merits of the legislation. General debate may be closed upon a motion, duly seconded and approved by a majority of the full Council.

3.16. Personal Reference.

Every Member during debate shall avoid personality conflicts as to every other Member and shall not impugn the character or integrity of another Member.

3.17. Examination of Legislation.

Every legislation in the possession of the Council, or of any committee thereof, shall be made available at all reasonable times for examination by the Members.

3.18. Explanation of Vote.

In any roll call vote a Member who wishes to explain his or her vote shall be limited to two minutes for such explanation. A Member may not yield or transfer unused time to any other Member.

3.19. Election of Officers.

The Council shall elect from among its Members not later than the first Monday in October and during the election year, by majority vote of the full Council, a Chair who shall serve for a designated period. The Chair may be removed at the will of the Council by affirmative vote of two-thirds of the Members of the full Council.

3.20. Appointments.

There shall be a City Administrator, a City Clerk, a Council Clerk, and such other employees as the Council determine to employ pursuant to **§ C-904. Creation of Departments**, of the City Charter. The Mayor may with Council consent establish, disestablish or combine City departments, offices or agencies in addition to those created by this Charter and may prescribe the functions of all departments, offices, and agencies. The departments of the City government established by the Charter are the department of finance, public works, police, public safety and community services. The Public Safety Department shall be under the direction and supervision of the Chief of Police who shall be appointed in accordance with § C-403(c) of this Charter.

3.21. Offices and Seats.

Offices may be allocated to the Members by the Chair. Seats on the floor of the Council shall be assigned by the Chair. Members may, by agreement, exchange their assigned offices and/or seats.

4. PROCEDURAL RULES

4.1. Robert's Rule of Order.

The rules of parliamentary practice and procedure as set forth in the latest edition of Robert's Rules of Order shall govern the Council in all cases to which they are applicable and not in conflict with these Council Rules of Procedure.

4.2. Precedence of Motions.

All motions shall require a majority of the quorum unless otherwise stated. When a question is before the Council, no motion shall be received except one of the following, and they shall have precedence in the order listed:

(a) To adjourn.

This motion is not debatable and can neither be amended nor reconsidered. Every such motion shall state the hour and day to which it is proposed the Council adjourn. A motion to adjourn having been determined in the negative, another such motion cannot be put to the Council until some other business shall have intervened.

(b) To recess

Every such motion shall state the hour and day to which it is proposed that the Council recess.

(c) To convene a closed session

This motion is not debatable and can neither be amended nor reconsidered.

(d) To close debate

A majority of the full Council shall be required for adoption of a motion to close debate. The motion is not debatable.

(e) To lay on the table

This motion cannot be amended, and if carried affirmatively by a majority of the full Council, it cannot be reconsidered. It applies only to the particular question before the Council, and it does not carry the Ordinance or resolution with it unless the motion has been to lay the Ordinance or resolution on the table. A matter tabled by the Council may be considered again at any future session.

(f) To reconsider a previous action.

(g) For the previous question.

The motion is not debatable, and if carried shall preclude all further debate and bring the Council to direct vote upon the immediate question before it. The motion for the previous question may be on any debatable motion before the Council.

(h) To postpone indefinitely.

This motion cannot be amended and must be approved by a majority of the full Council. When action on an Ordinance or resolution or other matter has been postponed indefinitely, the said Ordinance or resolution or other matter shall not again be taken upon for consideration during the remainder of the legislative year.

(i) To postpone to a certain time or day.

This motion may be amended and reconsidered. Debate upon it can be only as to the postponement of consideration, and shall not extend to the merits of the Ordinance or resolution.

(j) To Commit.

(k) To Recommit

This motion may apply to any pending question with any amendments that may be pending, is debatable, and may be amended. A motion to recommit requires the majority vote of the full Council.

(l) To Amend

An amendment may be offered to an amendment, but no motion shall be accepted which would amend an amendment to an amendment.

(m) To Discharge a Committee

Can be applied to any main motion, or any other matter, which has been referred to a committee and which committee has not finally reported to the Council. The motion and the underlying question are debatable. The motion may be amended. A negative vote may be reconsidered. A two-thirds vote of the Council is required for approval.

4.3. Stating of Motions; Withdrawal of Motions.

When a motion has been made and seconded, the Chair shall, unless the motion is ruled out of order, state the questions, together with the names of the Members who made and seconded the motion. After a motion is stated by the Chair, it shall be deemed to be in possession of the Council, but may be withdrawn by the maker with the concurrence of the person seconding any time prior to commencement of the vote on such motion.

4.4. Motions in Writing.

If requested by the Chair or any Member, a motion shall be submitted in writing and read by the City Clerk before it shall be debated.

4.5. Division of Question.

If a motion contains more than one substantive proposition, any Member may call for a division of the question into separate propositions.

4.6. Reconsideration.

- (a) When a question has once been decided, a motion is in order if the Ordinance, resolution, motion or matter upon which the vote is taken is still in the possession of the Council. No motion for reconsideration is in order unless made on the same day

on which the original motion was taken, or at the next regular or special meeting of the City Council thereafter. No motion for reconsideration on a zoning Ordinance is in order after the date it becomes effective.

- (b) If the original vote was taken by a recorded vote of yeas and nays, it shall be in order for any Member voting with the prevailing side to move for the reconsideration thereof; except that should an Ordinance or resolution or other matter fail merely for the want of a majority as may otherwise be required by these Rules or by law, the motion for reconsideration may be made by any Member. A motion for reconsideration may be seconded by any Member regardless of whether the Member voted on the prevailing side of the question or was present at the previous vote.
- (c) If the original vote was not taken by a recorded vote of yeas and nays, it shall be in order for any Member to move for the reconsideration thereof.
- (d) If the question or motion to be reconsidered is debatable, the motion to reconsider opens the whole question or motion to debate; but if the question or motion to be reconsidered is not debatable, the motion to reconsider is not debatable.
- (e) If a motion to reconsider prevails, the question immediately recurs upon the original question or motion.
- (f) The vote on motion to reconsider cannot itself be reconsidered. A motion to reconsider having once been put and decided, it is not in order to repeat the motion to reconsider unless the original proposition has been amended since the first motion to reconsider.

5. LEGISLATIVE PROCESS-ADMINISTRATIVE REQUIREMENTS

5.1. Request for Legislation

A Member shall transmit, in writing, requests for legislation to be drafted to the City Administrator, who shall direct the request to the City Clerk.

5.2. Form of Legislation

Every Ordinance or resolution presented and introduced shall be prepared in formats prescribed by the City Clerk.

- (a) **Ordinance Content.** Each Ordinance should normally have the following content:
 - (1) Heading
 - (2) Title- A short title of the subject matter plus a brief summary of the Ordinance's purpose. The wording of the short title and summary will customarily be used by the City Clerk to advertise the Ordinance.
 - (3) Function Paragraph-States the function of the Ordinance (amend, repeal, add) and the Code sections concerned.
 - (4) Enacting Sections-The operative section of the Ordinance. The enacting clause shall read "BE IT ORDAINED by the Seat Pleasant City Council"

- (b) **Numbering of Sections.** Sections of an Ordinance shall be numbered in Numeric numerals.
- (c) **New and Old Matter.** An Ordinance proposing to amend, repeal, or add to existing law shall underscore the new matter and place within brackets all matters to be eliminated from existing law. The text of the Budget Ordinance, any Ordinance proposing the issue of bonds or other certificates of indebtedness need not be underscored. It is unnecessary to include deleted language if its length exceeds two full Ordinance pages.
- (d) **Emergency Ordinances, Charter Amendments.** If the Ordinance is either a Charter Amendment or An Emergency Ordinance, the words "Charter Amendment" or "Emergency Ordinance" shall be included in the heading of the Ordinance and the adoption clause shall indicate adoption by a two-thirds vote.

5.3. Ordinance and Resolution Numbers.

Every Ordinance and resolution shall be consecutively numbered being with O-year-01 for Ordinances and R-year-01 for Resolutions. The City Clerk shall assign numbers to completed and properly prepared ordinances and resolutions.

5.4. Agenda Item Summary.

Each Ordinance, resolution or other matter to be placed on the Council Agenda shall be accompanied by a completed Agenda Item Summary prepared on a form maintained by the City Clerk.

6. PRESENTATION (FIRST READING).

6.1. Debate on Presentation (First Reading).

Legislation eligible for introduction shall be listed on the Agenda and the full titles shall be printed. Where the full title of an ordinance exceeds 100 words, the Chair may read only the short title of the Ordinance. Unless the ordinance is removed from the Agenda, there shall be no debate or discussion on the ordinance during the time it is before the Council on introduction. If the ordinance has been removed from the Agenda, the Member presenting the ordinance may make an explanatory statement as to the purpose of the legislation, not to exceed two minutes in length. If a Council Member desires to join in the sponsorship of the legislation, the Chair shall thereupon so instruct the City Clerk.

6.2. Committee Referrals.

By the adoption of these rules, the Council agrees to observe the established practice of "presenting" legislation prior to introduction, thereby permitting, before Council Public Hearing or Meeting notices are advertised, in-depth examination and possible refinements after review of the legislation's fiscal effects and other pertinent information supplied by interested persons. The Council agrees that no legislation shall be presented (or introduced), if presentation is bypassed). The legislation shall be returned by the committee to the Council for introduction within thirty (30)

working days unless deferred for an additional period of thirty (30) working days, or unless held in committee as set forth below. Nothing herein shall preclude a committee's review of a legislation prior to presentation or a resolution prior to introduction. The committee may take the following actions:

- (1) Report out with favorable recommendation;
- (2) Report out with unfavorable recommendation;
- (3) Report out with no recommendation;
- (4) Report out with favorable recommendation, as amended;
- (5) Hold in committee upon request of the proposer(s) and presenter(s);
- (6) Hold in committee for further study; or
- (7) Hold in committee indefinitely;

Upon introduction, each resolution shall be referred by the Chair to the appropriate committee unless the matter has already been considered by committee. Where the full title of a resolution exceeds 100 words, the Chair may read only the short title of the resolution at introduction. A resolution may be held in committee upon the request of the proposer(s).

Any Member may present legislation or introduce legislation at any Council meeting, provided that an original copy of said legislation has been submitted to the City Clerk for placement on the Agenda. If a Member of the Council does not follow the above protocol, the Chair may refer the legislation to committee.

6.3. Committee Procedures.

(a) Committee Agenda.

The agenda shall be set by the Chair of the Committee for each scheduled committee meeting. The Agenda shall be distributed to all Members, the Mayor, when applicable, and the appropriate resource personnel.

(b) Committee Meetings.

- (1) Each item to be considered by the committee, the proposer, sponsor or department head shall present the item to the committee and respond to questions concerning the item.
- (2) The committee shall receive comments from the Council Clerk and appropriate Executive staff. Members may address questions to the staff.
- (3) Unless the committee is considering a matter, which has been conducted, the committee shall receive comments from the appropriate Executive staff.
- (4) The committee may deliberate and take appropriate action concerning the item. Final action shall be by roll call vote. During the deliberations the committee may address questions to appropriate staff.

(c) Reports of Action.

The Chair of each standing committee shall direct the Council Clerk to prepare a report of the of the committee actions. The report shall give the action thereon, and each recorded vote. The report shall serve as the minutes of the committee meeting. The committee's recorded vote shall show how each Member present voted and the names of the committee members absent from the vote. The City Clerk shall provide copies of the report to Members and maintain the report for public record and review.

(d) Legislation Reported to Council.

Every legislation upon which a committee has taken final action shall be so reported to the floor of the Council. At any time after the Council meeting on a legislation before its final enactment, or at any time prior to the final enactment of legislation may be returned to committee upon a majority vote of the full Council.

(e) Committee Amendments.

When legislation or policy manuals are reported from a committee with amendments, the amendments as proposed shall be incorporated into the legislation or policy.

6.4. Fiscal Effect.

If an Ordinance or Resolution on enactment or adoption would result in an increase or decrease in City revenues, appropriations, or fiscal liability, the department or Member of Council shall, in its report, as provided by the individual explain these fiscal effects to the Council. When requested, the Finance Department shall assist in the preparation of information required by the requestor. Proposed legislation submitted by the City Administrator and/or City Treasurer shall be accompanied by a statement of its fiscal effect.

7. INTRODUCTION (SECOND READING)

7.1. Debate on Introduction (Second Reading)

- (a) Prior to introduction the City Clerk shall read each legislation by short title. In addition, where the full title of an Ordinance exceeds 100 words, the City Clerk may read only the short title of the legislation at introduction. The Chair of the committee to which the legislation was referred shall provide a report of the action and recommendation of the committee. A member may address questions concerning the legislation to the committee Chair, at the lead of the Presiding Officer.
- (b) The Council shall consider amendments to each legislation proposed by the committee and additional amendments as may be proposed by any member prior to introduction of the legislation.
- (c) There shall be no debate on any legislation during the time it is before the Council for the second reading unless there is a motion to amend or reject the legislation. Debate on a motion to amend, reject, duly seconded, shall be limited to the merits of the legislation.
- (d) The Chair shall declare the legislation to be read.

7.2. Review of Legislation

At the time of introduction of legislation, the Agenda shall indicate whether the Ordinance is the first or second reading, and assigned number of the legislation and the short title.

7.3. Sponsorship of Legislation

The sponsor of every legislation shall be indicated on the heading.

- (a) Only the names of Council Members initiating the legislation shall appear on the "Proposed and Presented by" line. Other Members may join as sponsors of the Ordinance or Resolution by statement during a Council Session or by written notice to the City Clerk. If such statement or notice is given prior to the time of introduction, the names of such Members shall be entered on the "Introduced by" line following the names of the initial Members. If the statement or notice is given after introduction but prior to the 2nd Reading, their names shall be placed on the legislation. Names of Members may not be added to legislation after final action on it has been taken by the Council. The City Clerk shall modify the legislation and ensure the modified version appears in the agenda management system at the time of introduction, but no further revisions need be made until the final draft is prepared.
- (b) Legislation can be introduced by one or more Members of the Council.
- (c) The proposer(s) and presenter(s) shall have the right to withdraw the legislation, or have his or her name stricken from the heading, at any time prior to the second reading.
- (d) Proposed legislation transmitted to the Council by a member of the Executive Team may be placed on the next appropriate agenda by the Chair "by request"

7.4. Amendments to Legislation, Prior to Public Meeting

Once legislation has been introduced, it may not be amended prior to the public meeting on the legislation.

8. PUBLIC HEARINGS.

8.1. General

The rules in this section apply to public hearings held upon pending legislation and the budget, and to special public hearings. Notice of public hearings shall be given in accordance 9.2.

8.2. Public Hearing.

Following the introduction of the budget the Chair shall schedule a public hearing on the proposed budget to allow the citizens the opportunity to view and provide comment.

- (a) Notice of the time and place of the public hearing and the title or summary of the contents shall be published in the newspaper of general circulation, electronic media once a week, and for adoption of legislation once a week for two successive weeks. Special requirements relating to notice of the Constant Yield Hearing, which should be advertised seven (7) to twenty-one (21) days prior to the scheduled hearing.

- (b) A copy of the legislation notice of the time and place of the public hearing on the legislation shall be posted by the City Clerk within ten days after the legislation is approved by the Council.
- (c) Public hearings on administrative appointments by the Mayor shall be held not less than ten (10) working days and not more than thirty (30) working days after their submission to the Council by the Mayor.
- (d) Public hearings on all other matters shall be held upon the order of the Chair or upon a motion, duly seconded and approved by the majority of the full Council.
- (e) Copies of proposed legislation or other subject matter shall be made available one week prior to the scheduled hearing on the City's website and at the Office of the City Clerk. All printed copies of documents will incur a fee. A quorum shall be required to conduct a public hearing. The City Clerk shall record the Members present and absent for each session in which a public hearing is held.

8.3. Preliminary Action.

Upon convening the hearing, the Chair shall give a brief explanation of the purpose of the hearing and shall cause to be presented any information or data which is required before discussion and comments begin.

8.4. Information from Public.

Each person who wishes to speak shall be recognized by the Chair, come forth and state the following information:

- (a) Name
- (b) Address
- (c) Person or organization represented, or that the speaker is speaking individually.

8.5. Time Limits.

The presiding officer may announce in advance or at the hearing reasonable time limitations and registration requirements for speakers so that all may have an opportunity to be heard.

8.6. Questions.

Any member, upon recognition by the Chair, may briefly question any speaker. Member and speakers shall refrain from engaging in debate. After having been recognized one time, a Member shall not speak again until all other Members have been afforded the opportunity to comment or question the speaker; provided, however, that a Member may yield to another Member.

8.7. Record.

The record of a public hearing shall remain open until the date and time specified by the Chair that the record will be closed.

8.8. Recess to Another Time and Place.

Any public hearing may be recessed to a time and place certain which is announced or posted at the time and place for which notice originally had been given a no further notice or publication shall be necessary.

9. ENACTMENT OR ADOPTION

9.1. Printing of Ordinance and Resolutions.

Every Ordinance and Resolution which has been introduced by the Council and on which any necessary public hearing has been completed shall be printed for enactment or adoption.

9.2. Final Action.

(a) Prior to final action on legislation, the Chair shall have the City Clerk read the legislation. In addition, where the suspension of the rules has been motioned and properly seconded, and approved by the majority of the council present, the summary of the legislation shall be read by the City Clerk. Adoption of the legislation shall require the affirmative vote of the Council, as required by law.

(b) No amendment to a bill may be acted upon by the Council on the day of the public hearing or subsequent thereto, unless the Council has been convened in a meeting prior to. No amendment to legislation shall be adopted by less than a majority vote of the full Council.

(c) When time permits, proposed amendments shall be typed on a separate form. The City Clerk shall distribute the proposed amendments to every Member. This requirement shall not preclude the offering of amendments orally during debate. Upon the direction of the Chair, the legislation shall be reprinted incorporating all amendments.

9.3. Book of Legislation

After passage of legislation, the City Clerk shall obtain the signatures of each Council Member present, submit Ordinance to the Mayor for approval or disapproval in accordance to the Seat Pleasant City Charter. All legislation shall be maintained in the Office of the City Clerk filed in sequential order. The City Clerk shall ensure that the Charter and City Code are updated to reflect the amendments of each.

10. LEGISLATION SENT TO THE MAYOR (CHIEF EXECUTIVE OFFICER)

10.1. Presentation

Approved Ordinances requiring the Mayor's consideration shall be delivered to the Executive's Office by the City Clerk immediately to the Administrative Assistant of the Mayor. A journal notation of the time and date delivered in a memorandum form shall be maintained in the Office of the City Clerk.

10.2. Vetoes.

When an Ordinance has been vetoed by the Mayor and returned to the City Clerk, the Mayor's message containing the objections to the ordinance shall be entered upon the record. The City Council shall reconsider the bill at its next scheduled meeting. If the ordinance that was vetoed pertains to the annual budget for the City, the City Council shall meet immediately to ensure

the appropriations of funds are allocated, or extend the current fiscal year budget for thirty (30) days. The Chair shall put the question, "Shall the earlier action of the Council be affirmed notwithstanding the objections of the Mayor?" The question is debatable. The votes of five (5) Members shall be necessary to pass the ordinance over the Mayor's veto. The vote of the Council shall be determined by roll call and entered in the record.

11. EFFECTIVE DATE OF LAWS

- (a) Effective dates of Council Legislation should be as provided in the Ordinance or Resolution. Unless designated an emergency ordinance, no ordinance shall take effect earlier than the date specified it to become law. The City Clerk shall change the effective date of an ordinance when necessary for compliance with the Charter.
- (b) Resolutions takes effect immediately upon passage, with the exception of Charter Amendment Resolutions that are effective 50 days after passage.

12. CITY CLERK

The City Clerk shall be directly responsible to the City Administrator and shall have the following specific duties:

(a) Notice.

The City Clerk shall notify Members of the time and purpose of all regularly scheduled and special meetings and sessions and known Agenda items and matters pending before the Council.

- (b) The City Clerk shall prepare a written Agenda for each Regular, Public and Special Session of the City Council. Where practicable, the Agenda shall be available seven (7) calendars days prior to any scheduled meeting.

(c) Journal (Book of Legislation).

The City Clerk shall maintain the Book of Legislation (Journal). The book shall contain such information as will identify each legislation, and all adopted amendments thereto, along with dates of introduction, public hearing, enactment, transmittal to the Mayor, and approval or other action by the Mayor; record of votes by Council Members; and other pertinent information necessary to provide an adequate legislative history of each piece of legislation.

(d) Minutes.

The City Clerk shall prepare written minutes of all legislative and non-legislative Council meetings other than committee meetings. The minutes shall include motions, votes, and other related information, to provide an accurate, succinct summary of the items considered an action taken by the Council. The minutes shall also include a record of Members' attendance.

(e) Publication of Legislation.

- (1) Upon the introduction of legislation, the City Clerk shall cause such legislation to be posted on the official bulletin board outside the office

of the City Clerk, and to be advertised in the newspaper of record by a fair summary of its provisions.

(2) The City Clerk shall maintain the legislation for public view.

(3) The City Clerk shall cause to be published a fair summary of all legislation enacted by the Council which becomes law.

(f) Voting and Attendance Records.

The City Clerk shall maintain a voting and attendance log for each Member on a form identified as "Voting and Attendance Record". The record shall contain an explanation of Member's absence, as provided by the Member, and shall indicate when a Member has recused himself or herself.

(g) Permanent Records.

The Clerk shall maintain the journal of legislation containing a permanent record of every law as finally passed and enrolled. The City Clerk shall also maintain a permanent record of minutes and proceedings of the Council, including a permanent file of resolutions adopted by the Council. The City Clerk shall be responsible for maintaining in a secure storage area all current and prior permanent records of the City. To the extent records are made, they shall be maintained in a separate place and a copy shall be filed under regulations of the State of Maryland.

(h) Designee.

The City Administrator shall be the designee in case of temporary absence or disability of the City Clerk. The City Administrator shall sign all papers that may require the official signature of the City Clerk, and to do all other acts, except such as are provided for by statute, that may be required under the rules and practice of the Council to be done by the City Clerk. Such official acts, when so done by the designated official, shall be under the name of the City Clerk. Said designation shall be in writing, and shall be entered into the journal.

13. COUNCIL CLERK

The Council Clerk shall be directly responsible to the City Council and shall have the following specific duties:

(a) Schedule Management.

The Council Clerk shall schedule and maintain the calendar for the City Council. Maintain the use of Council Chambers for the City as the meeting room.

(b) Travel.

The Council Clerk shall arrange and schedule the City Council for conferences and conventions in accordance to the City's Accounting Manual and the GSA Guidelines.

(c) Meetings.

The Council Clerk shall plan and attend meetings and events on behalf of the City Council.

14. CITY AUDIT.

All request for financial or performance audits and special reports from the Office of Finance shall be submitted to the City Administrator, who shall cause the matter to be placed on the next appropriate Agenda for Council Consideration. Upon Council approval, the City Administrator shall direct the City Treasurer to transmit the request, in writing, for an Auditing Firm to conduct the Audit. Upon completion of such audit or report, the Auditor shall forward a sufficient quantity to the City Treasurer, who shall provide a copy to all Council Members, the City Clerk and City Administrator. Reports on financial and performance audits shall be available for release to the public upon request. Any report by the Auditor containing information that could lead to a criminal investigation shall be referred to City Administrator for submission to the City Attorney to be forwarded to the Prince George's County State's Attorney.

15. RULES CHANGES AND SUPPLEMENTS.

15.1. Suspension of Rules.

The suspension of any rule shall require the concurrence of two-thirds of the Members of the Council. The motion is debatable, but does not permit discussion of the main question, it can neither be reconsidered, laid on the table, nor postponed indefinitely, and, while it is pending, no motion can be made expect to adjourn. A separation suspension of the rules shall be necessary for each proposition.

15.2. Repeal or Amendment of Rules.

No motion, order, or resolution to repeal or amend a rule of the Council shall be considered or acted upon unless it shall have been submitted in writing to the Council at least one week prior thereto, together with the written text or any proposed amendment, the repeal or amendment of any rule of the Council shall require the concurrence of two-thirds of the Members of Council.

16. ETHICS

Each Member of the Council are required and expected to adhere to the Chapter 18-Ethics of the City Code.

17. CITY POLICIES

The City Council is required to adhere to all City's policies as it relates to governance and accountability.